

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ERIC SAGER, :
Plaintiff, :
v. : Civil Action No. 05-431J
BLAIR COUNTY PRISON WARDEN, and :
BLAIR COUNTY PRISON MEDICAL :
STAFF, :
Defendants :
:

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

On August 18, 2006, the Magistrate Judge filed a Report and Recommendation, docket no. 12, recommending that the defendants' motion to dismiss, docket no. 10, be granted in part and denied in part.

The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation. No objections were filed, and the time to do so has expired.

After review of the record of this matter together with the Report and Recommendation, and noting the absence of objections thereto, the following order is entered:

AND NOW, this 26th day of September, 2006, it is
ORDERED that defendants' motion to dismiss, docket no.
10, is granted in part and denied in part as set forth in the
Report and Recommendation, which is adopted as the Opinion of the
Court. The Blair County Prison Warden is dismissed as a defendant.

BY THE COURT:



KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to:

Eric Sager GC-1557
S.C.I. Fayette
P.O. Box 9999
Labelle, PA 15450

David L. Haber, Esquire
602 Law & Finance Building
429 Fourth Avenue
Pittsburgh, PA 15219